

LAW OFFICE OF ROSE M. CULVER

18 NORTH MAIN STREET SUITE 301 CONCORD, NH 03301

ATTORNEYROSE@COMCAST.NET

PHONE:

(603)415-7673

FAX:

(866)496-0498

April 6, 2010

Julie A. Moore, Esq. Employment Practices Group 93 Sherwood Drive, Suite 201 North Andover, MA 01845

VIA ELECTRONIC AND US MAIL

Re: Michele Walker/Littleton District Court

Dear Julie:

There are some outstanding issues outlined by you in your letters dated March 19 and 23 that I am hereby addressing.

First of all, with respect to Michele Walker's medical condition as it relates to her ability to perform her job duties, it was my misunderstanding that her medical provider would be furnishing further documentation. Unfortunately, both Michele and I have had a difficult time connecting with Ms. Carey Brodzinski recently. Therefore at this time, I am unable to provide the documents that you request. However, as it is the court's position that Michele will return to work once the investigation is concluded, we will ensure that the medical providers will provide documents proximate to her return to work date.

Secondly, you have requested that Michele provide information regarding her absences and tardiness on the dates and times specified on Brenda's records. Having had the opportunity to review and analyze the records, it is impossible for Michele to recall what was going on at any of those specific times, let alone comment on the notations that relate to her husband, Chuck Walker. One thing that is apparent from looking at the "evidence" is that it proves that Michele and Chuck were not engaging in long lunches together as she had been accused of by Ms. Howe:

 Ms. Howe: "Um, during my interview with Brenda, she does recall making notes about your attendance but she also recalls (inaudible) making notes about Chuck Walker's attendance because her concern was that the two of you were, from her standpoint, appeared to be coordinating your absences from work. Do you recall having a conversation with Brenda about that?" See transcript of Michele Walker interview, Tuesday, January 12, 2010, p. 103.

- Ms. Howe: "And, Brenda also has notes here that seem to indicate that you and Chuck Walker would take extended lunch times together when you were dating." See transcript of Michele Walker interview, Tuesday, January 12, 2010, p. 105.
- Ms. Howe: "Well what I am specifically asking is that you have made an allegation that you objected to Michelle Brown talking about having lunch time sexual rendezvous with her boyfriend. . . Yet Brenda Knapp has records and observations that she will testify to that are (pause) that is was commonly believed by the staff of the district and family court that actually you and Chuck were engaging in that same kind of behavior." See transcript of Michele Walker interview, Tuesday, January 12, 2010, p. 106.

The notations as scribed by Brenda Knapp refute these very allegations. Accordingly, Michele has consistently maintained herself professionally as the Clerk of the Littleton District Court.

I would like to point out that missing from the notations are: (1) Times that Michele stayed after hours, sometimes as late as 6 p.m., because of her work load or she was required to be there for a trial that was in session; (2) Dates that Michele worked on weekends; and (3) The times that Michele did not leave the court for lunch, but worked through at her desk because the court was busy. In order for this to be a thorough assessment of Michele's work habits, it would be necessary to have this data as part of the picture. Michele is a salaried employee and as such is afforded more flexibility than an hourly employee. Mrs. Walker hereby represents that time that was missed was made up, if it was not taken as part of sick or annual leave.

Additionally, as Michele indicated in her interview with Ms. Howe, the issue of her absences and tardiness were appropriately addressed a long time ago by Judge Cyr and Pam Kozlowski.

• Mrs. Walker: "I believe that a lot of these were discussed with Pam and Judge Cyr because obviously this was brought up." Ms. Howe: "In 2007?" Mrs. Walker: "No. When we met they brought up everything. So you may be asking the same things they have already, I have been disciplined from, from Pam and Judge Kelly. I mean Judge Cyr." Ms. Howe: "This is the first time Brenda has given anyone a copy of these." Mrs. Walker: "Well, Pam said they came up because of a complaint from Brenda. . ." See transcript of Michele Walker interview, Friday, February 5, 2010, p. 136.

The incessant and ongoing inquiry by the court into Michele's work attendance three years ago gives the appearance of retaliation.

Finally, at your request, I have gone back and conducted my own research as to whether the telephone companies will provide past records. As I previously indicated, Fairpoint does not provide such records without a subpoena. The only records that are available to Fairpoint customers are prior phone bills. As for U.S. Cellular records, since outgoing telephone calls

appear on the bill, that data is available to the customer. As such, Michele will be working on providing you with the records that you requested prior to our final meeting.

Thank you.

Regards,

Rose M. Culver

cc: Mrs. Michele Walker